

**Crosby Centre Supplementary
Planning Document**

**Strategic Environmental
Assessment/ Habitats
Regulations Assessment
Final Screening Statement**

September 2015

1. Introduction

- 1.1 This report has been produced to determine the need for a:
- I. **Strategic Environmental Assessment (SEA)** in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
 - II. **Habitats Regulations Assessment (HRA)** in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 as amended (the habitats regulations).

For the proposed Crosby Centre Supplementary Planning Document (SPD).

2. Policy context

2.1 Government policies and the National Planning Policy Framework (The Framework) promote and recognise that the planning system has an important role in ensuring the health and vitality of town centres. The NPPF has as one of its key objectives Ensuring the vitality of town centres (chapter 2).

2.2 In recent years Crosby Centre has suffered from under-investment and development projects which have not been implemented. There are a number of potential development sites in the centre that are currently vacant or under-used. The SPD will support the Crosby Investment Strategy in promoting the regeneration of the centre. This will include supporting high quality new development on key sites within the Centre, and enhancing the Centre's accessibility and appearance.

2.3 The emerging Sefton Local Plan (2015) www.sefton.gov.uk/localplan includes policy ED9 – Crosby Centre that relates specifically to the area.

2.4 The proposed Crosby Centre Supplementary Planning Document will expand upon policy ED9 (Crosby Centre) of the emerging Sefton Local Plan. (The policy is shown in Appendix B.) More detail on the scope of the SPD is set out below.

Introduction and Context

2.5 The regeneration of Crosby Centre is a Council priority. A Crosby Investment Strategy is currently being finalised to set out the best approach to regenerating the Centre. The SPD will build on the findings of the Investment Strategy and will support draft Local Plan policy ED9 – Crosby Centre. It will set out how planning decisions should be guided in this area.

Purpose and aims

2.6 In recent years Crosby Centre has suffered from under-investment and development projects which have not been implemented. There are a number of potential development sites in the centre that are currently vacant or under-used.

2.7 The SPD will support the Crosby Investment Strategy in promoting the regeneration of the centre. This will include supporting high quality new development on key sites within the Centre, and enhancing the Centre's accessibility and appearance. The Supplementary Planning Document (and Local Plan policy) will be used by the Council to guide planning applications for development in the Centre.



Part 1- SEA Screening

3. Screening

3.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the “Environmental Assessment of Plans and Programmes Regulations 2004”. There is also practical guidance on applying European Directive 2001/42/EC produced by the ODPM (now DCLG)¹. These documents have been used as the basis for this screening report.

3.2 Previously all Development Plan Documents (DPDs) and Supplementary Planning Documents required Sustainability Appraisal. Sustainability Appraisal incorporated the requirements for SEA². However, the regulations were amended in 2009³. These amendments removed the requirement for the sustainability appraisal of supplementary planning documents. These changes were confirmed in the 2012 regulations⁴

3.3 Despite no longer requiring sustainability appraisal, SPDs may still require SEA. The ODPM practical guidance provides a checklist approach based on the SEA regulations to help determine whether SEA is required. This guide has been used as the basis on which to assess the need for SEA as set out below.

¹ A Practical Guide to the Strategic Environmental Assessment Directive (2005) (ODPM)

² The Town and Country Planning (Local Development) (England) Regulations 2004

³ The Town and Country Planning (Local Development) (England) (Amendment) Regulations

⁴ The Town and Country Planning (Local Planning) (England) Regulations 2012

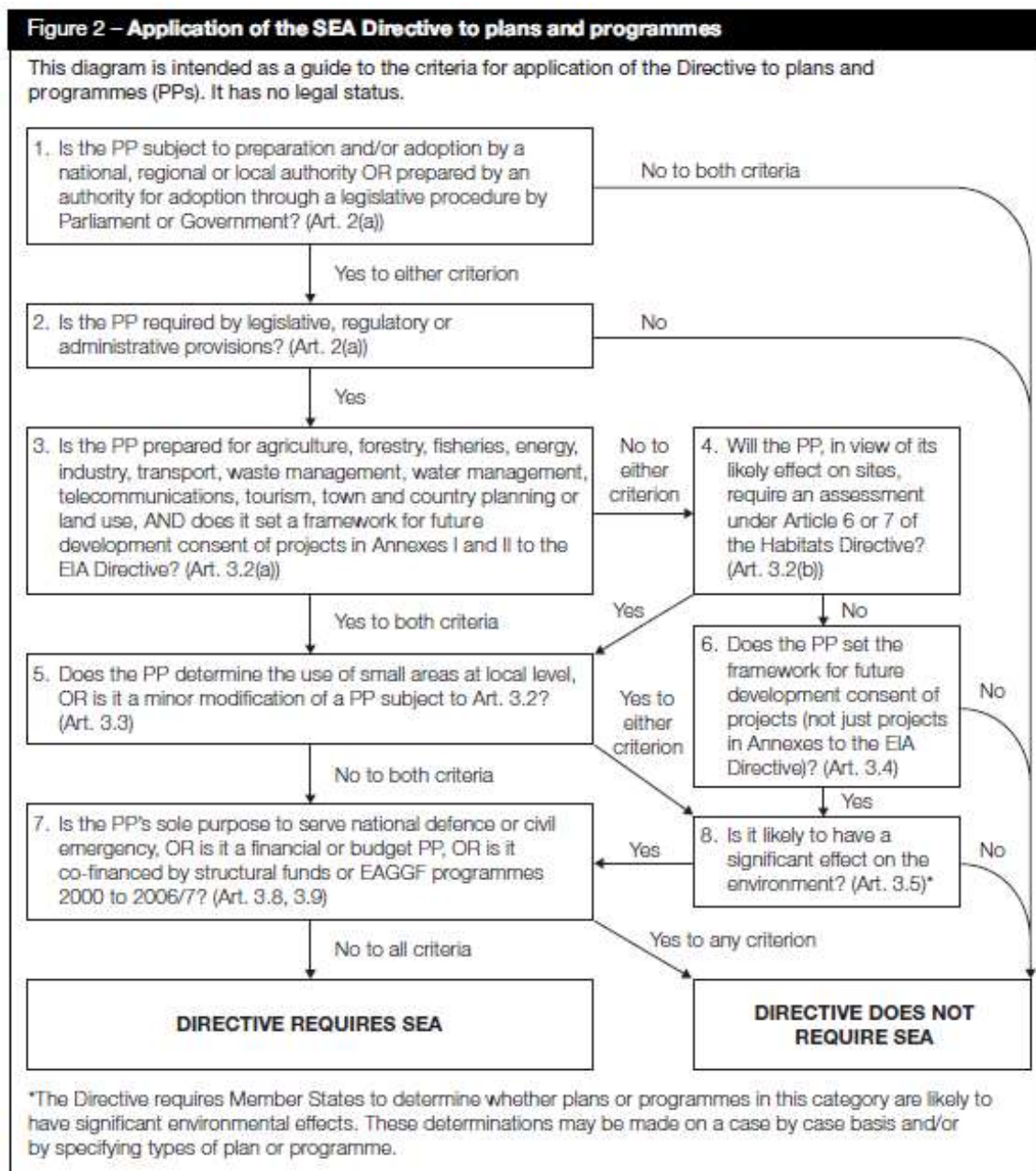


Table 1: Establishing the need for SEA

Stage [from the flowchart above]	Answer	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))	Yes	SPD to be adopted by Sefton Council

Stage [from the flowchart above]	Answer	Reason
2. Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	The detail that the Council wish to provide to the emerging local plan policy can only be given due weight if it is contained in a Supplementary Planning Document.
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	The SPD is for town and country planning purposes but does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive
4. Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	The draft screening statement concludes that an assessment under the Habitats Directive is not required. (<i>*see part 2</i>)
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Yes	Although the emerging local plan policies will set the overall framework, the SPD will provide additional guidance on the interpretation of these policies.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	See ' Table 2 ' below 'Determining the likely significance of effects'

Table 2: Determining the likely significance of effects on the environment

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
<i>The characteristics of plans and programmes, having regard, in particular, to:</i>	
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The SPD will be providing additional guidance on existing policies that set the broad framework.
1b) The degree to which the plan or programme influences other plans and	The SPD can only expand on existing policies and should not introduce new

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
programmes including those in a hierarchy	policies not contained in higher order plans.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will promote sustainable development by regenerating an existing district centre.
1d) Environmental problems relevant to the plan or programme	The SPD is unlikely to be directly relevant in regard to this criterion.
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The SPD is unlikely to be directly relevant in regard to this criterion.
<i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i>	
2a) The probability, duration, frequency and reversibility of the effects	The anticipated effects on the sustainability of the areas covered by the SPD are expected to be positive by regenerating a district centre and contributing to an inclusive and sustainable community. The duration of impacts are not likely to be long term or irreversible as retail units can change their use, indeed many uses can change use without a planning application through permitted development.
2b) The cumulative nature of the effects	The cumulative nature of effects on the environment is likely to be positive although relatively minor other than at a local level.
2c) The trans-boundary nature of the effects	None identified.
2d) The risks to human health or the environment (e.g. due to accidents)	The SPD will have a positive effect on human health and the local environment.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover a limited area, ie the district centre of Crosby, the impact of the SPD will be limited to a local level around Crosby.
2f) The value and vulnerability of the area likely to be affected due to:	The SPD will only apply to an area that is at the centre of the urban area and is

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
I. Special natural characteristics or cultural heritage, II. Exceeded environmental quality standards or limit values III. Intensive land-use	currently a district centre, the SPD will merely help direct the regeneration of the centre. Other guidance and policies related to environmental issues are covered in the emerging local plan and emerging SPD guidance.
2g) The effects on areas or landscapes which have a recognized national, Community or international protection status	None identified. This will be dealt with by other policies/guidance.

4. Consultation

4.1 The Council consulted with the three statutory environmental bodies [see below] on this screening report and the determination. The table below provides their responses.

Statutory Body	Comments
Environment Agency	We have no objections with the conclusions of the report and have no other comments to make at this time.
Historic England	In terms of our area of interest, we would concur with your assessment that the document is unlikely to result in any significant environmental effects on the historic environment and will simply provide additional guidance on existing policies which have already been subject to a Sustainability Appraisal. As a result, we would endorse the conclusions that it is not necessary to undertake a Strategic Environmental Assessment of the document.
Natural England	Natural England has no comment to make

5. Conclusion and statement of reasons

5.1 The SPD is supplementing and will provide further guidance on policy ED9 (Crosby Centre) of the emerging Local Plan. The SPD merely seeks to regenerate an existing district centre by encouraging appropriate new development. Any impacts on the environment are likely to be local and small scale and positive in nature.

5.2 The views of the statutory consultees are set out above.

5.3 It is considered that the Crosby Centre SPD will not give rise to any significant environmental effects. Therefore, it is considered that a Strategic Environmental Assessment **is not required** for the proposed Crosby Centre Supplementary Planning Document.

Part 2- HRA Screening

6. HRA Screening

6.1 The requirement for a Habitats Regulations Assessment (HRA) in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (as amended) (the habitats regulations). An assessment of the “likely significant effects” of a plan or project on sites of international nature conservation importance (Natura 2000 sites) is required. This part of the document sets out Sefton Council’s screening of the draft Crosby Centre SPD in accordance with the habitats regulations.

6.2 The Sefton Local Plan Publication version (2015) had was subject to HRA assessment produced by AECOM (formerly URS) (January 2015) that assessed in combination effects taking into account other plans and projects, Local Plan site allocations and policies. The HRA Report (January 2015) was produced by AECOM (formerly URS) included an assessment of in combination effects taking into account other plans and projects as well as Local Plan site allocations, policies and objectives and the impact of the plan as a whole. See <http://www.sefton.gov.uk/planning-building-control/planning-policy/evidence-and-studies/environmental.aspx>

6.3 In terms of the New Housing Development SPD the “parent policy” is policy ED9 (Crosby Centre) of the Local Plan. This policy was assessed as part of the HRA of the Local Plan. The policy was “screened out” meaning that there would not need to be and additional HRA assessment. The HRA comments on policy ED9 (Crosby Centre) are shown below.

- *“No implications.*
- *This outlines policy for the development of Crosby Centre.*
- *There are no impact pathways.”*

6.4 The SPD is supplementing and will provide further guidance on policy ED9 of the emerging Local Plan. The SPD merely seeks to regenerate an existing district centre by encouraging appropriate new development in accordance with policy ED9 (Crosby Centre). The SPD will cover a limited area, i.e .the district centre of Crosby, the impact of the SPD will be limited to a local level around Crosby. Any impacts on the environment are likely to be localised and small scale, and will not differ from the impacts of the environment of Policy ED9. In any case, more generally, policy NH2 ‘Protection of nature sites, priority habitats and species’, which has also been subject to HRA, sets out more detailed requirements in relation to Nature 2000 sites and

supporting habitats and to planning application stage site-specific HRA where relevant.

6.5 The following Natura 2000 sites are located within Sefton:

- Sefton Coast SAC
- Ribble and Alt Estuaries SPA and Ramsar site
- Mersey Narrows & North Wirral Foreshore SPA and Ramsar site (small part of site is at Seaforth Nature Reserve, the rest is approx. 1km+ away on Wirral).

6.6 In addition the following Natura 2000 sites are located outside of Sefton but were “screened in” to the HRA of the Local Plan publication draft.

- Liverpool Bay SPA
- Manchester Mosses SAC -
However, Sefton’s Local Plan HRA Report concluded that Sefton is not adjacent to the M62; that the Local Plan includes proportionate measures to minimise its contribution to M62 vehicle movements; and that Sefton’s effect on atmospheric nitrogen deposition on Manchester Mosses SAC is effectively inconsequential. Thus this site is not considered further in this HRA screening document.

6.7 Below is an assessment of potential pathways for impacts to the Natura 2000 site taking into account the HRA of the Publication version of the local plan.

Table 3: Assessment of likely significant effects (taking into account HRA Report for Publication Draft Local Plan (2015))

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
Recreational pressure / disturbance <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA & Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA (in-combination disturbance of birds through increase in ship movements and recreational pressure) 	No significant impacts.	SPD has no influence on location or number of new homes proposed, nor ship movements. SPD will have no additional impacts compared to its parent policy ED9 (Crosby Centre) which has been screened out.
Disturbance to qualifying	No significant impacts.	SPD will have no additional

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
<p>species</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 		impacts compared to its parent policy ED9 (Crosby Centre) which has been screened out.
<p>Coastal squeeze</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts.	SPD covers a small geographical area, in the middle of the existing built – up area at some distance from the Nature 2000 sites.
<p>Direct habitat loss through expansion of the Port at Seaforth</p> <ul style="list-style-type: none"> • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on Port expansion.
<p>Direct habitat loss through mineral extraction</p> <ul style="list-style-type: none"> • Ribble and Alt Estuaries SPA and Ramsar site. 	No significant impacts	SPD has no influence on minerals expansion.
<p>Loss of habitat / supporting habitat outside the <i>Natura 2000</i> site boundary</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site 	No significant impacts	SPD covers a small geographical area, in the middle of the existing built – up area at some distance from the Nature 2000 sites. SPD will have no additional impacts compared to its parent policy ED9 (Crosby Centre) which has been screened out.
<p>Reduction in water quality</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA - 	No significant impacts	SPD will have no additional impacts compared to its parent policy ED9 (Crosby Centre) which has been screened out..

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
potential for 'in combination' effects with other plans and projects (through sewage effluent discharges).		
Reduction in air quality <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD will have no additional impacts compared to its parent policy ED9 (Crosby Centre) which has been screened out.
Mineral extraction <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on minerals expansion.
Dredging and disturbance of sediments/benthic habitats <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA (following Port expansion) 	No significant impacts	SPD has no influence on dredging or disturbance of benthic habitats, or on Port expansion.

6. 9 The SPD is unlikely to have any significant effects on a SAC or SPA (Natura 2000 sites) above and beyond any significant effects that the Local Plan is likely to have, either individually or in combination with other plans and projects. The "parent policy" ED9 (Crosby Centre) In the Local Plan was screened out meaning no further assessment is needed. The SPD is unlikely to give rise to impacts/significant effects on Natura 2000 sites

7. Consultation

7.1 The Council consulted Natural England, the statutory body for the purposes of HRA. The table below provides their response.

Statutory Body	Comments
Natural England	Natural England has no comment to make

8. Conclusion and statement of reasons

8.1 The SPD is supplementing and will provide further guidance on policy ED9 (Crosby Centre) of the emerging Local Plan. The SPD merely seeks to regenerate an existing district centre by encouraging appropriate new development. There are no significant effects on Natura 2000 sites in Sefton.

8.2 The comments of Natural England are set out above.

8.3 On the basis of the above information, Sefton Council is of the opinion and concludes that the proposed plan to which this screening opinion relates – the Crosby Centre Supplementary Planning Document - :

a) is not directly connected with or necessary to the management of the site,

b) is not likely to have a significant effect on each of the following sites:

- Ribble and Alt Estuaries Ramsar site
- Ribble and Alt Estuaries Special Protection Area (SPA)
- Sefton Coast Special Area of Conservation (SAC)
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Mersey Narrows and North Wirral Foreshore Special Protection Area (SPA).
- Liverpool Bay SPA.
- Manchester Mosses SPA.

either alone or in combination with other plans or projects.

Part 3- Appendices

Appendix A- Contact details

Further information can be obtained from:

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Appendix B: Extract from Sefton Publication Draft Local Plan (2015): - Parent Policies text

CROSBY CENTRE

7.68 The regeneration of Crosby Centre is a Council priority. In recent years the Centre has suffered from under-investment and development projects which have not been implemented. The Centre is poorly laid out and faces in on itself, with unattractive car parking and servicing areas facing outwards. Busy main roads also sever the Centre from adjacent residential areas. This policy aims to support the Crosby Investment Strategy in promoting the regeneration of the centre. This will include supporting high quality new development on key sites within the Centre, making it more accessible, and enhancing the Centre's overall appearance.

ED9 CROSBY CENTRE

- 1. Within Crosby Centre proposals should be consistent with, and make a positive contribution to, the regeneration of the centre.**
- 2. New retail and other town centre developments of an appropriate scale will be supported in order to improve the vitality and viability of the centre.**
- 3. Proposals that would prejudice the comprehensive development of key sites within the Centre will not be permitted.**

Design and Townscape

- 4. Development within the Centre should be of high quality design, particularly on the key routes and gateways of Liverpool Road, Coronation Road, Islington, Cooks Road, The Bypass and Moor Lane.**
- 5. Development should contribute towards a high quality public realm, to ensure that the centre benefits from attractive outdoor areas.**
- 6. Development should facilitate and improve pedestrian connections to Moor Lane to support its role as the focal point for the Centre.**
- 7. Development proposals should have active ground floor uses facing key routes, gateways and public spaces. Development on key routes should be at least two storeys in height. The use of upper floors for appropriate uses will be encouraged.**

Accessibility

- 8. The improvement of traffic flows and accessibility within and beyond the centre will be supported. Improvements to facilitate pedestrian, cycling, and vehicular access within and beyond the Centre will be required as part of development**

proposals.

Policy links:

- ED2 Development in town, district and local centres and shopping parades
- ED6 Regeneration Areas

Explanation

- 7.69 A comprehensive and co-ordinated approach will be pursued to the planning, regeneration and development of Crosby Centre. The Council is preparing an Investment Strategy for Crosby Centre that will provide further guidance on the identification of key sites and on the overall vision for the Centre. A Supplementary Planning Document (SPD) will also be prepared to support the regeneration of Crosby Centre. Where proposals would prejudice the comprehensive development of key sites, planning permission will be refused.
- 7.70 New development within the Centre should be of high quality design, consistent with the requirements of this policy, and policy EQ2 Design.
- 7.71 At present, the Centre is poorly connected to the surrounding residential neighbourhoods. Development proposals offer opportunities to include improvements to access for pedestrians, cyclists and vehicles, both within and beyond the centre.

Appendix C – Natura 2000 sites in Sefton

